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SUBJECT: KAMERHE RESIGNS IN PARLIAMENT

REF: A) KINSHASA 263 B) KINSHASA 259 C) KINSHASA 245

Classified By: Ambassador William Garvelink for reasons 1.4 (b) and (d)

¶1. (SBU) During a March 25 plenary session, National Assembly President Vital Kamerhe resigned. Apparently sensing that the majority of deputies would vote to oust him, Kamerhe proposed a single-item agenda: his resignation. An overwhelming number of deputies, according to FSN employee who was present, voted by hand to adopt the agenda, i.e., to accept Kamerhe's resignation.

¶2. (SBU) In a speech just after the adoption of the agenda, Kamerhe referred to his January 21 statement to Radio Okapi, in which he had raised concerns about the lack of consultations with parliament regarding the joint DRC-Rwandan military operations. Referring to Article 213 of the constitution, Kamerhe maintained that the President negotiates and ratifies treaties, and the government concludes agreements and informs the Presidents of the Senate and National Assembly. He pointedly remarked that he had not been informed about the entry of Rwandan troops into the DRC. He said that the controversy over his interview and subsequent statements in which he criticized government policies had been between the government and parliament, with the President above the fray as arbiter. Evoking the story of King Solomon, Kamerhe said that he did not want to split the DRC's democratic development in two by organizing a contentious no-confidence vote. Rather, he said he preferred to "save democracy."

¶3. (SBU) Pending the election of a new Executive Bureau for the National Assembly, Kamerhe said he would stay on in a caretaker role. There is no timeframe yet established for this election. In effect, Kamerhe was at the dais with Senate President Kengo wa Dondo for French president Nicolas Sarkozy's speech to parliament the following day.

¶4. (C) Comment: The drawn-out feud between Kabila and Kamerhe, the most intense political issue in the DRC this year, is over. Despite the perception by many that the constitution has been violated and democratic political institutions have been weakened, we see the outcome as generally positive. The government had a legitimate reason to ask Kamerhe, its majority leader, to resign because he opposed the government's policies and it attained its goal. It did not, however, have the right to make him leave Parliament altogether, which has not happened. It did not resort to the use of force and won respect for constraint and patience. For his part, Kamerhe carefully planned and executed his exit strategy to give him maximum political advantage. He courageously defied the Government openly and made his case eloquently before his fellow legislators and the entire nation, receiving much media attention. He retains his seat and remains in place as caretaker president

until a replacement is elected (and this could take a while).

A highly accomplished politician, he is better positioned than ever to campaign for the presidency in 2011. Best of all, the National Assembly as an institution has been strengthened: its role and prerogatives as enshrined in the Constitution were respected and its by-laws were followed throughout the "Affaire Kamerhe." There were, however, negatives. Although the Government did not use force, it bribed parliamentarians to vote against Kamerhe in anticipation of a vote of no confidence. It may also have used threats of political retaliation to intimidate Kamerhe supporters reluctant to have him resign. Kamerhe also played games; he tried to frame the debate as constitutional, rather than political and personal in nature. He is also widely believed to have used National Assembly monies for illicit purposes. But that's the Congo. End comment.

GARVELINK